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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/472,910	12/27/1999	MICHAEL C. G. LEE	71493-639	9364

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EXAMINER
NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/472,910	LEE, MICHAEL C. G.
	Examiner	Art Unit
	Quynh H Nguyen	2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 1999* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

  a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-4,7 ,9, 16, 18-20, 24-27, and 29 are rejected under 35 U.S.C. 102(b) as being

anticipated by Sonesh et al. (U.S. Patent 6,046,762).

Referring to claims 1, 25, and 27 Sonesh et al. teach an automatic call distribution (ACD)

controller arranged to be coupled through a packet-based network to a plurality of remote

telephone stations and one or more attendant telephone stations, the ACD controller comprising

call reception logic (col. 6, lines 3-5) that controls the establishment of telephone sessions

between the remote telephone stations and the attendant telephone stations; wherein the call

reception logic operates to receive call initiation signals from a particular one of the remote

telephone stations (col. 7, lines 58-61); to monitor if an attendant availability parameter is met

(col. 10, lines 58-61); if the attendant availability parameter is not met, to send at least one data

information message to the particular remote telephone station via the packet-based network

(col. 10, lines 58-61); and, if the attendant availability parameter is met, to establish an audio

channel between the particular remote telephone station and a particular one of the attendant

telephone stations (col. 11, lines3-6).

Referring to claim 2, Sonesh et al. teach the call reception logic further operates to query the capabilities of the particular remote telephone station prior to sending the data information messages, a format for the data information message being determined based upon the capabilities of the particular remote telephone station (col. 10, lines 50-56).

Referring to claim 3, Sonesh et al. teach the packet-based network is an Internet Protocol (IP) network and the data information message is transmitted within an IP packet (col. 10, lines 50-58).

Referring to claim 4, Sonesh et al. teach the call reception logic further operates to determine a waiting parameter (expected wait time col. 10, line 60) to be presented to a user at the particular remote telephone station, the data information message comprising waiting parameter (col. 10, lines 59-61).

Referring to claims 7 and 9, Sonesh et al. teach the call reception logic further operates to update the waiting parameter periodically until the attendant availability parameter is met and to send further data information signals comprising updated waiting parameters to the particular remote telephone station via the packet-based network until the attendant availability parameter is met (col. 11, lines 1-4).

Referring to claim 16, Sonesh et al. teach the data information message comprises a plurality of audio options (col. 6, lines 55-58); and wherein the call reception logic further operates to monitor for receipt of one of a plurality of audio option activation messages from the particular remote telephone station, each of the audio option activation messages corresponding to a selection of a particular one of the audio options (col. 6, lines 55-58 and col. 8, lines 3-9); and, if the call reception logic receives one of the audio option activation messages from the

particular remote telephone station, to send audio signals associated with the received audio

option activation message to the particular remote telephone station (col. 8, lines 3-9).

Referring to claim 18, Sonesh et al. teach the data information message comprises a

browser request option (Fig. 6, 601); and wherein the call reception logic further operates to

monitor for receipt of a browser request activation message from the particular remote telephone

station in response to the browser request option (col. 10, lines 34-43); and, if the call reception

logic receives a browser request activation message from the particular remote telephone station,

to initiate a browser session with the particular remote telephone station such that the particular

remote telephone station can access data information within a browser format (col. 10, lines 34-

52).

Referring to claim 19, Sonesh et al. teach the browser format is a web page (col. 10, lines

34-36).

Referring to claim 20, Sonesh et al. teach if a browser session is initiated with the

particular remote telephone station, the call reception logic further operates to send an alert

message to the particular remote telephone station when the attendant availability parameter is

met (col. 10, line 50 thru col. 11, line 6).

Referring to claim 24, Sonesh et al. teach an automatic call distribution (ACD) controller

arranged to be coupled through a packet-based network to a plurality of remote telephone

stations and one or more attendant telephone stations, the ACD controller comprising call

reception logic (col. 6, lines 3-5) that controls the establishment of telephone sessions between

the remote telephone stations and the attendant telephone stations; wherein the call reception

logic operates to receive call initiation signals from a particular one of the remote telephone

stations (col. 7, lines 58-61); to initiate a browser session with the particular remote telephone

station such that the particular remote telephone station can access data information within a

browser format (col. 10, lines 34-52); to monitor for receipt of an attendant request message

being sent from the particular remote telephone station; and, if the attendant request message is

received, to monitor if an attendant availability parameter is met, to establish an audio channel

between the particular remote telephone station and a particular one of the attendant telephone

stations (col. 11, lines3-6).

Referring to claim 26, Sonesh et al. teach a Local Area Network (LAN) arranged to be

coupled to the packet-based network, each of the attendant telephone stations being coupled

through the LAN to the ACD controller (Fig. 1, 113).

Referring to claim 29, Sonesh et al. teach within an Automatic Call Distribution (ACD)

controller, a method of establishing a telephone session between a remote telephone station and

an attendant telephone station via a packet-based network, the method comprising: receiving call

initiation signals from the remote telephone station; sending at least one data information

message to the particular remote telephone station via the packet-based network (col. 10, lines

58-61); monitoring if an attendant availability parameter is met (col. 10, lines 58-61); if the

attendant availability parameter is not met, sending at least one data information message to the

particular remote telephone station via the packet-based network (col. 10, lines 58-61); and, if

the attendant availability parameter is met, to establish an audio channel between the particular

remote telephone station and a particular one of the attendant telephone stations (col. 11, lines 3-

6).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 5, 6, 30, 31, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Sonesh et al. (U.S. Patent 6,046,762) further in view of Dezonno (U.S. Patent 6,295,354).

Referring to claims 5 and 6, Sonesh et al. as discussed above, Sonesh et al. suggested

wait information such as the length of the queue and expected wait time, but Sonesh et al. do not

mention about the waiting parameter comprises a number corresponding to an order in which the

call initiation signals were received from the particular remote telephone station with respect to

other call initiation signals received from other ones of the remote telephone stations and an

estimate of the time before the attendant availability parameter is met. Dezonno teaches the

waiting parameter comprises a number corresponding to an order in which the call initiation

signals were received from the particular remote telephone station with respect to other call

initiation signals received from other ones of the remote telephone stations (col. 2, lines 44-50

and col. 6, lines 32-34). It would have been obvious to one of ordinary skill in the art at the time

the invention was made in order to clearly inform customer the order that he/she is in the queue

and an estimate of how long he/she will have to wait for an available attendant.

Referring to claims 30 and 34, Sonesh et al. teach a switching device arranged to be

coupled through a telephone network to at least one remote telephone station and an Automatic

Call Distribution (ACD) system comprising at least one attendant telephone station (Fig. 1, 120),

the switching device comprising alert request logic (connection manager) that is operable when

the remote telephone station is connected to the ACD system (Fig. 1, 110) through the switching device; but Sonesh et al. do not suggest the alert request logic operates to monitor for receipt of an alert request activation signal; and, if the alert request activation signal is received, to store a directory number corresponding to the remote telephone station, to disconnect the remote telephone station from the switching device, to monitor for an attendant ready signal from the ACD system and, if the attendant ready signal is received, to initiate a telephone session with the remote telephone station using the stored directory number in order to connect the remote telephone station and the ACD system. Dezonno et al. teach the alert request logic operates to monitor for receipt of an alert request activation signal (col. 4, lines 51-62); and, if the alert request activation signal is received, to store a directory number corresponding to the remote telephone station, to disconnect the remote telephone station from the switching device, to monitor for an attendant ready signal from the ACD system and, if the attendant ready signal is received, to initiate a telephone session with the remote telephone station using the stored directory number in order to connect the remote telephone station and the ACD system (col. 2, lines 17-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the capability of storing the remote telephone station's directory number, to disconnect the remote telephone from the switching device, to monitor for an attendant ready signal to see if it received, to initiate a telephone session with the remote telephone using the stored directory number to connect the remote telephone and the ACD system to the system in order to maintain a list of telephone numbers which are to be called as soon as an agent becomes available or at a time preferred by the customer.

Referring to claim 31, Sonesh et al. teach the alert request activation signal is a sequence of Dual Tone Multi-Frequency (DTMF) signals (col. 5, lines 51-59).

Referring to claim 35, Sonesh et al. as mentioned above, Sonesh et al. teach a telephone station arranged to be coupled through a telephone network to an Automatic Call Distribution (ACD) system comprising at least one attendant telephone station (Fig. 1, 120), the telephone station comprising alert request logic (connection manager) that is operable when the telephone station is connected to the ACD system (Fig. 1, 110); but Sonesh et al. do not suggest the alert request logic operates to monitor for receipt of an alert request activation signal; Dezonno et al. teach the alert request logic operates to monitor for receipt of an alert request activation signal (col. 4, lines 51-62); and, if the alert request activation signal is receive, to periodically send a recorded voice message to the ACD system indicating how to send and attendant ready signal to the alert request logic, to monitor for an attendant ready signal from the ACD system and, if the attendant ready signal is received, to initiate a alert operation on the telephone station. It would have been obvious to one of ordinary skill in the art at the time of invention to have recorded voice message periodically sent to the ACD system so that the user understands that an attendant is available.

5.   Claims 8, 10-12, 14, 15, 17, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al. (U.S. Patent 6,046,762) further in view of Bateman et al. (U.S. Patent 5,884,032).

Referring to claims 8 and 10, Sonesh et al. as discussed above, but Sonesh et al. fail to teach the data information message comprises an alert request option ; and wherein the call reception logic further operates to monitor for receipt of an alert request activation message from

the particular remote telephone station in response to the alert request option; and, if the call

reception logic receives the alert request activation message from the particular remote telephone

station, to send an alert on message to the particular remote telephone station when the attendant

availability parameter is met and send an alert mode indication to the particular remote telephone

station if the call reception logic receives the alert request activation message from the particular

remote telephone station. Bateman et al. teach the data information message comprises an alert

request option (col. 6, lines 9-13 and col. 6, lines 31-32); and wherein the call reception logic

further operates to monitor for receipt of an alert request activation message from the particular

remote telephone station in response to the alert-request option; and, if the call reception logic

receives the alert request activation message from the particular remote telephone station, to send

an alert on message to the particular remote telephone station when the attendant availability

parameter is met (col. 6, lines 31-64). It would have been obvious to one of ordinary skill in the

art at the time the invention was made to ad the help request message to the system to create a

more user friendly environment.

Referring to claims 11 and 12, Sonesh et al. as discussed above, but Sonesh et al. fail to

teach the alert mode icon to be displayed on the display of the particular remote telephone

station, the alert on message has a ring request for the particular remote telephone station.

Bateman et al. teach the alert mode indication is an alert icon to be displayed (col. 10, lines 1-3),

alert on message comprises a ring request for the particular remote telephone station (col. 10,

lines 3-13). It would have been obvious to one of ordinary skill in the art at the time the

invention was made that the connection manager in the invention of Sonesh et al. incorporate an

alert mode icon and alert on message to ring customer when an agent is available so that

customer will be prompted while being on hold and an available agent is ready to serve him/her.

Referring to claim 14, Sonesh et al. discussed above, but Sonesh et al. fail to teach the

alert on message comprises an email message being sent to an email account corresponding to

the particular remote telephone. Bateman et al. teach notification being sent to a remote

telephone via email messages (col. 7, lines 58-61). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to incorporate sending email message to the

customer telephone as part of the alert message so that the communication between customer on

hold and the call reception logic more efficient.

Referring to claims 15, 17 and 23, Sonesh et al. also fail to teach the alert request option,

a browser request option and each of the audio options comprises a text string to be displayed on

display screen associated with the particular remote telephone station, the text string indicating to

a user of the particular remote telephone station how to send an alert request/audio option

activation/browser request activation message to the call reception logic. Bateman et al.

suggested that customer could enter command on the pop up display screen (col. 6, lines 14-17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made

also to incorporate a text string to be displayed on a display screen as part of the alert request

option so that the communication between customer on hold and the call reception logic more

diverse and efficient.

6.   Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al.

(U.S. Patent 6,046,762) further in view of Walker et al. (U.S. Patent 6,301,354).

Referring to claim 28, Sonesh et al. as discussed above, but Sonesh et al. fail to teach the remote telephone station is a wireless telephone station that is coupled to the packet-based network via a communication link with a base station that is further coupled to the packet-based network. Walker et al. teach the remote telephone station is a wireless telephone station that is coupled to the packed-based network (Fig. 1, 135) via a communication link with a base station coupled to the packet-based network (col. 5, lines 49-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate wireless in the remote telephone station which give users hand-free capability.

7.   Claims 13, 21, 22, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al.

Referring to claim 13, Sonesh et al. as discussed above, but Sonesh et al. fail to teach the ring request comprises a volume request to ensure a ring volume selection corresponding to the particular remote telephone station is at a sufficiently high level. It would have been obvious to one of ordinary skill in the art that all telephone has capability to adjust volume of the ringer.

Referring to claims 21 and 22, Sonesh et al. as discussed above, but Sonesh et al. also fail to teach if a browser session is initiated with the particular remote telephone station, the call reception logic further operates to send at least a portion of the data information accessed by the particular remote telephone station during the browser session to the particular attendant telephone station when establishing the audio channel between the particular remote telephone station and the particular attendant telephone station, and initiate a browser session with the attendant telephone station when establishing the audio channel between the remote telephone station and the attendant telephone station, the browser session being identical to that initiated

with the remote telephone station. It would have been obvious to one of ordinary skill in the art that once a browser session is initiated with the particular remote telephone station it would be easy to send data information and initiate another identical browser to the attendant telephone station.

Referring to claims 32 and 33, Sonesh et al. as discussed above, but Sonesh et al. also fail to teach the alert request logic to monitor for receipt of an attendant ready signal, the alert request logic further operates to periodically send a recorded voice message to the ACD system indicating how to send an attendant ready signal which has a ring back signal that is generated when a telephone call is transferred to the alert request logic. It would have been obvious to one of ordinary skill in the art at the time of invention to have recorded voice message periodically sent to the ACD system and indicating how to send an attendant ready signal which has a ring back signal so that the user understands that an attendant is available.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dezonno (U.S. Patent 6,295,354) teaches method for incoming call answering for automatic call distributors. Davis et al. (U.S. Patent 6,314,177) teaches communications handling center and communications forwarding method using agent attributes.

8.   Any response to this action should be mailed to:

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or faxed to:

(703) 308-6306, (for formal communications intended for entry, please

label the response "EXPEDITED PROCEDURE")

or: (703) 308-6296, (for informal or draft communication, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Sixth Floor (Receptionist).

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451.

The examiner can normally be reached on Monday - Friday from 7:00 A.M. to 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-4700.

qhn
Quynh H. Nguyen
May 15, 2002

AHMAD MATAR
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